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BY THE HOUSE OF DELEGATES,
March 4th, 1867.
Read and referred.

RESPONSE

OF THE

VISITORS AND GOVERNORS

OF

ST. JOHN'S COLLEGE,

TO AN

ORDER OF THE HOUSE.

ANNAPOLIS:
HENRY A. LUCAS, PRINTER.
1867.

MEMORIAL.

To the Honorable Oliver Miller,

Speaker of the House of Delegates of Maryland:

The visitors and governors of St. John's College, in obedience to the order of your Honorable Body of the 7th instant, have had prepared their responses to the inquiries therein, which are herewith submitted with the annexed papers. They have to regret the delays which have necessarily taken place in discharging this duty. They beg leave also to submit herewith a brief sketch of the history, condition and prospects of the college.

This college was founded in the year 1784, by the donations of the citizens of Maryland, paid into the Treasury of the State for the benefit of the college, to the amount of thirty-two thousand dollars, on the express contract by the State to grant them their charter, (1784, ch. 37,) about four acres of confiscated ground in Annapolis, and "annually and forever," in the very words of the nineteenth section, the sum of £1,750 ($4,667,) for the payment of the salaries of the Principal, Vice Principal, Professors and tutors.

Thus established and built by the money of the individual donors, the State from 1784 till 1805, executed its part of the contract, by paying the annuity for the salaries of the professors.

In that year by the resolution 1805, chapter 85, the State undertook to repeal this part of the charter granting the annuity, thereby violating the contract and depriving the college of the means devoted to the payment of the professors.

This very point is expressly decided by the Court of Appeals in 15 Maryland Reports 330, in a cause between the college and the State, the court holding that this resolution of 1805, chapter 85, violated the Constitution of the United States, by attempting to impair the obligation of this contract in the charter and was therefore void.

The General Assembly in 1812 and 1832, restored part of this annuity, equal to $1,000, and then increased it to $3,000 by resolutions 1811, No. 38 and 1832, No. 41, which latter

sum the State has since continued to pay to the college. But the arrearages claimed of this old annuity under the original contract, exceed two hundred thousand dollars, and never have been paid. It should here be stated that the college realized about $20,000 by the sale of lottery scheme granted to it by the State, in the law of 1821, chapter 46. This money was afterwards expended towards the erection of some of the buildings on the college premises.

The college failing to obtain these arrearages from the General Assembly, after the decision of the Court of Appeals, instituted legal proceedings to recover them; but the Court of Appeals, held that the college by accepting this partial annuity of $3,000, under the resolution of 1832 and releasing as was therein required, all claim upon the State, had placed it out of their power to recover these arrearages from the State.

From this decision of the Court of Appeals, the college took measures for an appeal to the Supreme Court of the United States, but pending this proceeding, they presented to the General Assembly, at its last session, a memorial (see page 178 of the House Journal, 22d January, 1866.) In that memorial, they set forth their claims, and state that "to their own feelings as Marylanders, they will be doing violence in seeking redress for the wrongs of the oldest Maryland Literary Institution in a tribunal beyond its jurisdiction and territory; and before they take that course, your memorialists are anxious to do all in their power to repair the losses sustained by the college through the unwise and joint action of their own predecessors, and the predecessors of your Honorable Bodies, in enacting and executing this resolution of 1832, however important or necessary at that time they may have deemed it to be.

This memorial further stated that the Visitors and Governors had secured the services of Henry Barnard, L. L. D., as their Principal, a man well known throughout the country for learning, wisdom and practical knowledge on all subjets connected with education; that under his superintendence and with the liberal aid and assistance which were due to St. John's and collegiate education, and which the memorialists most respectfully sought from the State, they confidently hoped to revive in the future her past history of distinguished usefullness to the State and nation.

In response to this memorial, the General Assembly at that session by the Act of 1866, chapter 101, restored the arrearages of the annuity of $3,000 which had been suspended during the war, and appropriated to the college twelve thousand dollars annually, on and after the first day of June, 1868, for and during the term of five years.

Although this increased annuity was not more than equal to the interest on the principal of the arrearages of the annuity claimed of the State by the college, yet on the recommendation of their counsel, among whom was the Honorable Reverdy Johnson, they agreed to receive this grant and passed the resolution of which exhibit No. 5, is a copy.

The visitors relying on this legislation of the State, dismissed their appeal, and went on through the active co-operation and recommendation of the principal, to appoint their professors and complete the faculty of the college. They also with the means derived from the State and from the United States, put all the large buildings, seven in number, in complete repair for the occupation of students and boarders. But from many delays and difficulties beyond their control, not until the last of September, were the buildings so far ready as to authorize the publication of the opening of the college and boarding house. To this cause in a great degree, they ascribe it that so few students have yet entered the college from other parts of the State, but they have reason to anticipate accessions to the next term.

The college was opened in September last, the students now number eighty-two and the whole arrangements of the institution are conducted with system, efficiency and success. Never within the memory of the members of this Board, have the prospects of the college been so encouraging.

With large and commodious buildings in complete order, a principal well known throughout the country for his qualifications in an eminent degree to discharge the duties of his position, supported by a learned and scientific faculty, in harmony with his views of education, and with the means to keep up the institution in this condition for five years. We have every prospect within that period, to establish it on a permanent foundation, and more than restore it to its former reputation and usefulness.

When we see what is done in other States for their colleges, and what our own State has done for her public schools, paying last year most generously upward of one-half a million of dollars to them, we cannot but be surprised that Maryland has done so little heretofore for her colleges on which her public schools must depend for their instructors.

South Carolina, has expended near a million of dollars since 1801, on its State college, including buildings, library, &c , with a continuing annuity of $26,000.

Virginia appropriated $250,000 for the establishment of its University, besides an annuity of $15,000. It has also built its Military Institute at Lexington, and endowed it with $20,000 annually.

North Carolina and its citizens, made grants to its University at Chapel Hill, out of which was realized a productive endowment of $150,000, and expended about the same amount on its building, library, apparatus, &c.

Mississippi, endowed her State University with large tracts of public lands, besides an annuity of $15,000, but failing to fulfil all the requisitions of the endowment, that State subsequently made an additional appropriation of $20,000 a year for five years.

Massachusetts, has given to her colleges within five years more than $300,000, besides contributions from its citizens of more than a million of dollars.

How far short Maryland has come to the standard of these States, will be more apparent when we consider that its private citizens and not the State, have paid for the buildings, library, &c., of St. John's, the State merely contributing as before stated, the annuity for some years to pay the salaries of its professors.

These State contributions are required to establish permanently institutions of learning; when they are once so established, their own alumni, the generosity of private citizens, and their own means of extending the blessings of education, are generally found sufficient for their continuance. This may be seen from what has been done in other States by individual donations for such colleges when permanently established. Within comparatively a few years the sums given to colleges in this country from private sources have been almost beyond belief. Lafayette College, in Easton, Pennsylvania, has received $250,000; Lehigh College, in Lehigh, Pennsylvania, $600,000; Dickinson College, Carlisle, Pennsylvania, $100,000, of which a large sum has been the contributions of Marylanders, and they are seeking with a prospect of success to make up another like sum. Princeton and Rutgers Colleges, New Jersey, have received about $300,000; Brown University, Rhode Island, within the last ten years has received over $250,000; Yale and the other colleges in Connecticut, have received within the last five years $800,000; we need not add the magnificent and magnanimous donations of George Peabody, now the admiration of the whole country.

It may be confidently stated that if these colleges had not been so permanently endowed, as to give assurance to these donors that their contributions would be faithfully applied for the extension of collegiate education, they never would have been made.

Maryland, since the year 1805, when St. John's was deprived of the means of educating her citizens, although she has had many respectable institutions of learning within her

limits, has no college worthy of her character, her population or her wealth; and hence she has lost to her people the hundreds of thousands of dollars which her liberal and enlightened citizens have contributed to colleges out of the State and which might have been contributed to St. John's if it had not been deprived of the means of being worthy of their endowments.

This is only one of the losses our people have sustained. Maryland now sends abroad about two hundred of her sons to seek in colleges out of the State, the means of education that should be afforded them within her borders; here is a loss of at least one hundred thousand dollars yearly to the expenditures within the State; what this State has lost since she deprived St. John's of the means of educating her sons, might be estimated at millions of dollars.

The selection by the United States, of Annapolis, as the permanent location for its Naval Academy, is itself the strongest argument in favor of the location of the State College here. This very selection affords peculiar advantages to St. John's in the patronage that the academy will extend to it, and the inducements afforded to persons whose sons are connected with the academy to send here for the education of their children.

Thus these two institutions may be the means of extending the population and wealth of the capital of the State. Large towns in the Eastern States, have been built up and supported almost entirely by the patronage of their colleges.

In this connection, we respectfully add a few words in relation to Annapolis. This city has certainly derived more advantage from St. John's than any other part of the State; but that will always be the case with the city or town within or near to which the college may be located. But it is known that the influence of Annapolis, has always been exerted to extend the benefits of this college to the whole State by the expenditure of its means in the erection of boarding houses, &c., on the college premises, which were especially for the benefit of students living out of the city.

It is due also to the citizens of Annapolis, to state that of the money contributed for the founding of this college in 1784, (i. e. thirty-two thousand dollars,) the citizens of Annapolis and of Anne Arundel county, and the "Rector and Visitors of Annapolis schools" contributed nearly one-half, and of the donations for the erection of the "blue building," (Humphrey Hall,) Annapolis alone contributed nearly one-third of the amount, and with this county, contributed more than one third thereof.

A few words in conclusion as to the plans and prospects of St. John's College.

In accordance with the views presented by Dr. Barnard to the Trustees, he has visited some parts of the State, and conversed and corresponded with its citizens, (though he proposes more extensively to enter upon these duties) in order to enlist the friends of education in a plan for building up on the basis of their public schools a system of higher education, in which each of the Institutions of Learning receiving the aid of the State may do its appropriate work in the liberal and practical culture of the youth of the State.

In making known to the people of the State the advantages St. John's now possesses for the collegiate education of their sons, he will set forth its claims for contributions from their liberality and public spirit, by the endowment of professorships, scholarships, &c., by accessions to the library and apparatus, and *generally* to the material aid of the Institution.

In this work he is sanguine of success if encouraged by the State. He has never failed in such undertakings in other States, nor can we believe that the people of this State will fail in a favorable response to such an appeal in behalf of so liberal and extensive a work of public instruction.

Already Dr. Barnard has assurances of five hundred volumes from the library of the late Dr. Wilson, of Pennsylvania, and of such accessions from others within and without this State as will add to the library of the College at least twenty-five hundred volumes.

The provisions of the charter constitute the Governor and Lieutenant-Governor of the State, the Speaker of the House of Delegates and the Judges of the Court of Appeals, *ex officio* Visitors and Governors of the College, and thus secure to the State always an able and efficient influence in their councils, and to a great extent constitute the College a State Institution.

In view of the present condition and prospects of St. John's College the Visitors and Governor do not hesitate in confidently recommending that venerable Institution of Learning to the patronage and protection of the General Assembly of Maryland.

By order of the Board, &c.

JOHN THOMSON MASON.

Secretary of the Board
of Visitors and Governors of St. John's College,